

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

JAMES J. MORTIMER, )  
                        )  
Plaintiff,           )  
                        )  
v.                    ) Civil Action No. 1:07cv380  
                        )  
TISHMAN SPEYER PROPERTIES, )  
Inc.,                 )  
                        )  
Defendant.           )

MEMORANDUM OPINION

THIS MATTER came before the Court upon defendant TISHMAN SPEYER PROPERTIES, Inc.'s Motion to Compel (# 16) and plaintiff JAMES J. MORTIMER's Emergency Motion for Continuance, Request for Disposition on Papers, or to Allow Telephonic Appearance (# 21).

THE COURT has reviewed the pleadings and finds as follows:

Documents responsive to defendant's Document Request 29 must be provided. Plaintiff must prepare a privilege log as to any documents which plaintiff claims to be privileged.

Information requested in Document Requests 16, 17, and 30, and Interrogatories 1, 2, and 8 are not reasonably calculated to lead to the discovery of admissible evidence and those requests are denied.

Information requested in Document Request 5 as to the one-year period preceding defendant's resignation, as well as Document Requests 3, 4, 7, 9, 10, 11, 12, 13, 14, 18, 21, 26, and 27, must be provided. Plaintiff must prepare a privilege log for any documents which plaintiff claims to be privileged.

It further appears that plaintiff has either supplemented or has agreed to supplement production of its other discovery responses as to electronic discovery, thus that issue is moot.

Plaintiff must provide the supplemental discovery responses noted above by 5:00 p.m., September 5, 2007. Further, defendant may re-depose plaintiff for an additional 3 hours based on these supplemental responses.

An appropriate Order shall issue.

/s/

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THERESA CARROLL BUCHANAN  
UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia  
August 28, 2007